

## REMARKS

### Claim Objections

Claim 65 has been objected to as being redundant to claim 64. Claim 64 has been amended, rendering the objection moot.

### Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1 – 7, 14, 41, 42, 44, 46 – 54, 64, and 65 as allegedly being anticipated by U.S. Patent No. 5,699,259 to Colman. Applicants traverse this rejection based on the above Amendments and the following remarks, and respectfully requests that the Examiner reconsider the rejection, and that they withdraw it.

In a rejection under 35 U.S.C. § 102, each and every claim element must be present in the applied reference. However, Colman does not teach or suggest “establishing an actual demand” and “generating a replenishment signal in response to the actual demand” as recited in claim 1. The Examiner has stated that the “ReOrder Point (ROP)” disclosed in Colman “reads on the Applicant’s actual demand”. [Office Action of 1/23/04, Page 4, 1<sup>st</sup> Paragraph]. However, Colman describes ROP as: “a single element which is used to determine the amount of material to be maintained in a stock area at an assembly station. The optimum amount for ROP is determined in accordance with the following formula:

$$\text{ROP} = \text{Greater (SDR, DGR)} + ((\text{OGT} + \text{SPT} + \text{IT}) - 1) * \text{DGR} + \text{Buffer Stock}$$

Where: SDR is a statistical daily rate;

DGR is a daily [daily] going rate;

OGT is an order generation time;

SPT is a supplier prep time; and

IT is an in-transit time.” [Col. 3 Line 61 – Col 4 Line 4]

Daily Going Rate is further defined as “based on a forecast of demand for, for example, the next six (6) months divided by the number of working days in that period of time.” [Col. 4, Line 9 – Col. 4, Line 12] Therefore, the ROP disclosed in Colman does not teach or suggest establishing an actual demand, but is instead based on a statistical daily rate (SDR) which is a historically determined value, or a daily going rate (DRG) which is a forecast. Therefore, ROP does not read on the actual demand recited in Claim 1.

The Examiner has stated “Colman further discloses an inventory control station 600 that transmits order information to assembly stations . . . Said order transmittal

reads on the Applicant's replenishment signal of claims 1, 41, 64, and 65. [Office Action of 1/23/04, Page 4, 1<sup>st</sup> Paragraph]. However, Colman does not teach or suggest "generating a replenishment signal in response to the actual demand", as recited in Claim 1. Colman discloses: "Information is entered at terminal 101, for example, by an operator, and transmitted to inventory control system 600 which states that one piece of material has been consumed in the assembly function performed in satisfying the order at assembly station 100. *In response to this information*, inventory control system 600 determines whether an order must be placed to replenish the materials at stock area 102, and, if an order is to be placed, the amount of materials which are to be requested in the order." [Col. 3, Line 11 – 20]. In addition, "In accordance with the present invention, inventory control system 600 places an order for a particular material *whenever the material at the stock area associated with a particular assembly station reaches its ReOrder Point (ROP)*". [Col. 3, Line 50 – 53]. Therefore, it is clear that Colman discloses a reactive material ordering process that does not take into account actual demand, but rather past usage. That is, once past usage has depleted the material below a threshold, more material is ordered. As opposed to accounting for actual demand when generating the replenishment signal, as recited in Claim 1. Therefore, Colman does not teach or suggest Claim 1 of the present invention. By analogy, Claim 64 and 65 are also believed to be allowable.

Colman does not teach or suggest: "establishing an event in the assembly process in response to the actual demand", as recited in Claim 24. Therefore, Claim 24 is believed allowable in light of Colman.

Colman does not teach or suggest: "establishing an event associated with the assembly process in response to actual demand for the material" as recited in Claim 32. Therefore, Claim 32 is believed allowable in light of Colman.

As described above, Colman does not teach or suggest: "establishing an actual demand for the material and to generate a replenishment signal in response to the actual demand", as recited in Claim 41. Therefore, Claim 41 is believed allowable in light of Colman.

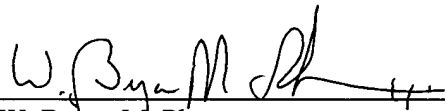
Therefore, the independent claims 1, 24, 32, 41, 64, and 65 are believed to be allowable. Accordingly, the associated dependent claims, including claims 2 – 7, 14, 42, 44, and 46 – 54 are believed to be allowable.

The Examiner has failed to particularly point out the basis for the rejection of the dependent claims within the Colman reference (See MPEP 706, 37 C.F.R. 1.106). The Examiner is respectfully requested to do so, so that a more thorough response may be provided.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections, and that they withdraw them. The Examiner is courteously invited to telephone the undersigned representative if they believe that an interview might be useful for any reason.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Bryan McPherson", written over a horizontal line.

W. Bryan McPherson  
Registration No. 41-988  
Caterpillar Inc.

Telephone: (309) 674-4015  
Facsimile: (309) 675-1236